

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13  
: :  
SUSAN B. HODGES : :  
: :  
Debtors : Bankruptcy No. 16-18011 JKF

**CHAPTER 13 STANDING TRUSTEE'S OBJECTION TO EXEMPTION  
PURSUANT TO 11 U.S.C. SECTION 522(I)**

**AND NOW** comes, WILLIAM C. MILLER, ESQUIRE, Chapter 13 standing trustee, and objects to a claimed exemption of the debtor for the following reasons:

1. Debtor filed an amended Schedule C and claimed a \$22,500 exemption in a settlement for a wrongful termination action, under 11 U.S.C. Section 522(d)(11)(D). A motion to approve the settlement is scheduled for May 25, 2017.
2. The standing trustee objects to debtor's claiming an exemption under this subsection of 522 because it is doubtful that the anticipated payment is "on account of personal bodily injury." See In re Flattery, 444 B.R. 501 (Bankr. Mass. 2011).

**WHEREFORE**, WILLIAM C. MILLER, ESQUIRE, Chapter 13 Standing Trustee, respectfully request that this Court enter an order in the form annexed hereto, denying debtor's claimed exemption as set forth above.

Respectfully submitted,

Date: May 12, 2017

/s/ William C. Miller  
William C. Miller, Esquire  
Chapter 13 Standing Trustee

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SUSAN B. HODGES :  
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## ORDER

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, upon  
consideration of the Objection to Exemption Pursuant to 11 U.S.C. Section 522(l) filed by the  
Chapter 13 Trustee, and after a hearing it is

**ORDERED**, that the exemption claimed by debtor under 11 U.S.C. section 522(d)(11)(D) is denied.

BY THE COURT

**HON. JEAN K. FITZSIMON  
BANKRUPTCY JUDGE**

**CERTIFICATE OF SERVICE**

AND NOW, comes William C. Miller, Esquire, Chapter 13 standing trustee, and certifies that he served the Chapter 13 Standing Trustee's Objection to Exemptions pursuant to 11 U.S.C. Section 522(l) on the following parties:

A. at the address(es) listed below by first class mail, on April 14, 2017:

Susan B. Hodges, debtor  
2066 Heather Road  
Folcroft, PA 19032

B. by electronic service only,

Debtor's Counsel:  
Michael D. Sayles, Esquire  
Sayles and Associates  
427 West Cheltenham Avenue, Suite #2  
Elkins Park, PA 19027-3201

George M. Conway, Esquire  
U.S. Department of Justice  
Office of the United States Trustee  
Eastern District of Pennsylvania  
833 Chestnut Street, Suite 500  
Philadelphia, PA 19107

Date: May 12, 2017

/s/ William C. Miller, Esquire  
William C. Miller, Esquire  
Chapter 13 Standing